

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Amendments to the Specification:

The specification has been amended to correct minor grammatical and typographical errors. No new matter has been added.

Status of Claims:

Claims 3 and 21 are currently being canceled, whereby the features of now-canceled claim 3 have been incorporated into claim 1, and whereby the features of now-canceled claim 21 have been incorporated into claim 18.

Claims 1, 4, 18 and 22 are currently being amended.

Claims 28 and 29 are currently being added.

This amendment adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 2, 4-20 and 22-29 are now pending in this application.

Claim Rejections:

In the Office Action, claims 1-8, 10-11, 14-17, 18 and 21-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over UK Patent Application GB 2343324 to Lee in view of U.S. Patent No. 6,125,286 to Jahagirdar et al.; and claims 9, 12, 13 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Jahagirdar et al. and further in view of U.S. Patent No. 6,002,946 to Reber et al. These rejections are traversed with respect to the presently pending claims, for at least the reasons given below.

With respect to claims 3 and 4 (whereby the features of claim 3 have been incorporated into presently pending independent claim 1), the Office Action asserted that Figure 8B (element 832) and column 7, lines 12-34 of Jahagirdar teach the features recited in these claims, but Applicant respectfully disagrees. According to presently pending claim 1, a symbol indicative of the reception of a call or e-mail is displayed on either the main display unit or the external display unit (depending upon whether or not the mobile terminal is open or closed), when a predetermined time period passes away with a reply to the received call by a user after the display of the data relating to reception of the call or e-mail is started. In column 7, lines 12-34 of Jahagirdar, a controller 504 detects input of a key entry via a key circuit 513, and initiates an immediate forwarding of the incoming call to voice mail or to an answering device with memory, and where "Other information may then be displayed in display area 130 (step 852)." Thus, in this instance, a user has responded in some fashion to the incoming call or e-mail, and thus it is not pertinent to the features recited in presently pending claim 1.

Column 7, lines 29-34 of Jahagirdar discloses that in a case where none of the keys 144 is actuated after detection of an incoming call (the exact same situation recited in claim 3), the controller 504 does not detect any signal from key circuit 513, whereby the controller 504 continues to monitor detection of signals from switch 508 and key circuit 513 in steps 832 and 848." Thus, column 7, les 29-34 of Jahagirdar is the exact scenario as what occurs in presently pending claim 1, whereby Jahagirdar's controller does nothing except to continue monitoring for key entries, whereby the present invention displays an icon on either main display or an external display when a predetermined time period passes away with a reply to the received call by the user.

Accordingly, since Jahagirdar does not teach or suggest the features recited in presently pending claim 1, and since Lee also does not teach or suggest the features recited in presently pending claim 1 (as acknowledged in the Office Action), presently pending claim 1 is patentable over the combined teachings of Lee and Jahagirdar.

With respect to claim 4, the Office Action asserts that "the user can select to answer the call, so the wait time is determined by the user [in the system of Jahagirdar]." However, this assertion is incorrect, since the predetermined period of time is based on non-reply by the user and thus any input of a key entry made by the user in the system of Jahagirdar cannot correspond to such a predetermined period of time. It is important to note that no changes occur in the displays of Jahagirdar until a user makes a key entry with respect to an incoming call, and thus the system of Jahagirdar is very much different from the invention according to presently pending claim 1 and claim 4.

The same features discussed above with respect to presently pending claim 1 are also recited in method claim 21, whereby the features of that claim have been incorporated into presently pending independent claim 18. Accordingly, presently pending independent claim 18 is patentable for the same reasons given above with respect to presently pending independent claim 1.

Therefore, presently pending independent claims 1 and 18 are believed to patentably distinguish over the cited art of record.

New Claims:

New claims 28 and 29 have been added to recite additional features that are believed to provide a separate basis of patentability of these claims. In Jahagirdar, as described in column 7, lines 23-28 of that reference, when none of the keys are actuated by a user, the controller 504 merely continues its monitoring operation, and it does not change a display screen after a predetermined period of time has passed away.

Conclusion:

Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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